

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Estt – Executive Officers - Sri Md. W .M. Ansari, Executive Officer, Grade-I, (Rtd) Gram Panchayat, Penta Khurd, Nizamabad District - Certain irregularities Committed in the capacity of Executive Officer, Shamshabad Gram Panchayat , Rangareddy District - Retired from service pending Enquiry in disciplinary cases as per the APCS (CCA) Rules, 1991- imposition of 10% cut in the Pension in two cases – orders – issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (ESTT.VIII) DEPARTMENT

G.O.Ms.No. 9,

Dt.20-01-2012.

Read the following:

1. From the CPR & RE, Hyderabad Lr.No. 6166/CPR&RE/B2/2009, Dt.17-05-2011.
2. From the CPR & RE, Hyderabad Lr.No.15911/CPR&RE/B2/2009, Dt.02-05-2011.
3. Government Memo No.1556/E.VIII/A2 /2011-4, Dt.21-06-2011
4. Explanation of the Charged Officer, Dt. 30-06-2011.
5. Government Memo No.1556/E.VIII/A2 /2011-5&6, Dt.10.10.11& 28.11.11.
6. From the APPSC, Hyd Lr.No. 1683/RT-I/3/2011, Dt.17.12.2011.

ORDER :

In the letters 1st and 2nd read above , the Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad has reported that (5) and (3) charges have been framed against Sri Md. W.M.Ansari, Executive Officer, Grade.I (Retd) for irregularities committed in the administration of Shamshabad Gram Panchayat, Rangareddy District vide proceedings dt.29-10-2009 & 19-05-2009, the Charged Officer has submitted his explanation denying the charges. The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad in her proceedings dt.24-02-2010 & 03-07-2009 has appointed District Panchayat Officer, Rangareddy District and Chief Executive Officer, Zilla Praja Parishat, Rangareddy District respectively as Enquiry Officers to conduct regular enquiry. The District Panchayat Officer, Rangareddy District has submitted the enquiry report vide Lr. Dt.18-11-2010. In his enquiry report, the Enquiry Officer held that all the (5) charges were held proved. In the other case, the CEO, ZPP, Rangareddy District has submitted his enquiry report vide Letter Dated.14-09-2009. In his enquiry report, the Enquiry Officer held that out of (3) charges, 1 & 2 were partially proved and the 3rd charge was not proved.

2. The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad has further reported that the Enquiry reports were communicated to the Charged Officer vide Memos 02-01-2011 & 20-10-2010 respectively for his explanation. The Charged Officer has submitted his explanation on the enquiry reports.

3. The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad while enclosing the original records of the (2) disciplinary cases pending against Sri Md. W.M. Ansari, Executive Officer Grade.I (Retd) has requested the Government to issue necessary orders in the matter as the Charged Officer was retired on 28-02-2010 and the Government is

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competent authority to take action on the retired Government servants as per rule 9 of A.P., Revised Pension Rules, 1980. She has also informed that in other (2) disciplinary cases pending against the Charged Officer, the enquiry reports are yet to be received and the same will be submitted to the Government on receipt of the enquiry reports.

4. After examination of the matter, the Government have taken a provisional decision for imposition of 10 % cut in Pension, permanently, on Sri Md. W .M. Ansari, Executive Officer, Grade -I, (Rtd) Gram Panchayat, Penta Khurd, Nizamabad District in this two disciplinary cases as the charges framed against him were proved.

5. Accordingly, a show cause notice was issued to the individual in the reference 3rd read above, directing to show cause as to why a penalty of 10 % cut in pension should not be imposed on him as per AP Revised Pension Rules, 1980, as the (7) charges out of (8) framed against him in (2) cases are held proved. He was requested to submit his explanation within 15 days from the date of receipt of the notice, failing which action will be taken based on the material available on record.

6. While the matter stood thus, the Hon'ble APAT, Hyderabad in its orders Dtd. 3.6.11 in C.A. No.440/2011 in O.A.No.9095/2010 filed by the individual has directed the respondents to comply the orders of the Tribunal within a period of 3 weeks from 03-06-2011, otherwise to appear before the Tribunal at 10.30 AM on 24.6.11.

7. The Government to comply with the said orders, have issued orders to the Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad vide G.O.Rt. No.950,PR&RD(E.VIII)Dept.,Dt.23.6.11 to release the pensionary benefits to Sri Md. W.M.Ansari, Executive Officer Gr.I (Retd), without prejudice to the right of the Government to file an appeal before the Hon'ble High Court and will be subject to such order as may be passed in such an appeal. The Government have issued instructions to the Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad to file appeal in the High Court against the orders of the APAT, Hyd. The Hon'ble APAT, Hyd in its order dt.24-06-2011 has closed the CA.

8. In the reference 4th read above, the delinquent officer has submitted his explanation.

9. The Andhra Pradesh Public Service Commission, Hyderabad has been requested for their advice in the reference 5th read above on the decision of the Government and the Commission has tendered their advice in the reference 6th read above duly accepting the decision taken by the Government to impose 10% cut in pension of the individual, permanently.

10. After careful examination of the matter and the explanation submitted by the individual the Government hereby impose 10% cut in pension, permanently, on Sri Md.W.M. Ansari, Executive Officer, Grade-I, (Rtd) in Nizamabad District for the irregularities committed by him in Shamshabad Gram Panchayat of Rangareddy District in the two disciplinary cases, as per the Rule 9 of the AP Revised Pension Rules, 1980.

11. The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad is requested to take further necessary action in the matter immediately.

12. The original files bearing the Nos.6166/CPR&RE/B2/09 and 15911/B2/2009 with nf from pages 1-10 and 1-15 and cf pages from 1-117 and 1-307 respectively are returned herewith to the Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad and he is requested to acknowledge the same immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL

PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

The individual through the District Panchayat Officer, Nizamabad District.

Copy to:

The District Panchayat Officer, Nizamabad and Rangareddy Districts.

The District Collector,(PW) Nizamabad District .

The Commissioner, Panchayat Raj & Raj and Rural Employment, A.P., Hyderabad with two original disposals.

The Accountant General, Andhra Pradesh, Hyderabad.

// FORWARDED : : BY ORDER //

SECTION OFFICER